

Exhibit 5

Ben Watson

From: Ben Watson
Sent: Monday, April 01, 2013 3:37 PM
To: 'Bryan Aylstock (BAylstock@awkolaw.com)'; 'Tom P. Cartmell (tcartmell@wcllp.com)'; 'Renee Baggett (RBaggett@awkolaw.com)'
Cc: Donna Jacobs
Subject: Ex-US Document 30(b)(6)
Attachments: Ethicon Ex-US Document 30(b)(6) Response.pdf

Bryan, Tom and Renee,

Attached are our responses and objections to the ex-US document 30(b)(6) notice. Our witness will be Pam Downs and she will be testifying concerning Topics 1-18 and 41. For Topics 19-40, they for the most part mirror those of the ESI notice for which Jim Mittenthal is the witness. Accordingly, we will designate Jim on Topics 19-40.

I have arranged with Ed Blizzard and Ed Wallace for the continuation of the ESI 30(b)(6) for April 30, and we intend to have Jim cover Topics 19-40 in that deposition. I think it makes logistical sense to have Pam's deposition the same week so that we can do it all in one trip. Let me know if May 2 or 3 will work.

If I recall correctly, we previously offered the week of April 8 for Pam's deposition. However, I don't recall ever hearing back from you as to a date, so I don't think we have nailed one down. I apologize if you did send something and I missed it or am simply not remembering it.

Thanks.

Benjamin M. (Ben) Watson

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